

Washington, DC -- U.S. Representative Michael A. Arcuri (D-Utica) was joined today by a bipartisan coalition of local officials and community activists to announce that he will introduce two pieces of legislation in the U.S. House of Representatives that would effectively prevent the New York Regional Interconnect (NYRI) power line proposal from using federal eminent domain law to condemn private property along the proposed route.

"Today is a turning point in the fight against NYRI," Arcuri said. "I'm glad to be here with this bipartisan group of elected officials, to announce the actions we in Congress are taking to ensure that NYRI does not run roughshod over the communities and property owners who would be affected by this poorly-planned and ill-conceived proposal. I have worked together with Representatives Hinchey and Hall to come up with the best possible way to keep this power line from damaging our communities."

"This is an issue that is close to me on a personal level," Arcuri said. "The proposal NYRI has designated as their primary route runs just a couple hundred yards from my home in South Utica. But that's not the only reason I support the effort to fight this project - this power line, at the admission of its own backers, will raise energy costs for the very Upstate communities that would be devastated by the construction and towers."

"The opposition by New York residents to NYRI's power line proposal is overwhelming. No one wants unsightly power lines cutting through the Upper Delaware Scenic River Valley or their backyard for that matter," Hinchey said. "These bills would prevent the federal government from stepping in on behalf of NYRI and forcing New York residents to live with this power line project. The federal government should be in the business of doing what's right for the people of New York and the entire country, not helping power companies make huge profits."

"I am hopeful that together we can write the final chapter of this saga that has beleaguered our citizens and communities for far too long," Arcuri said.

Led by U.S. Rep. Maurice Hinchey (D- Hurley), Arcuri and colleague Rep. John Hall (D-Dover Plains) will introduce the two pieces of legislation later today in Washington.

Legislation Proposed by Arcuri, Hinchey, and Hall:

- One bill would repeal the entire section of the Energy Policy Act of 2005 which authorizes the Department of Energy to designate “national corridors” and permits companies to use federal eminent domain power. Under this legislation NYRI would be confined to the state procedures for approving electric transmission projects.
- The other legislation would modify the section of the Energy Policy Act of 2005 which authorizes companies permitted to build or modify transmission lines within a NIETC to use federal eminent domain power. The bill amends this section so companies are directed to follow state law. Under this legislation, NYRI would be confined to state law. Because of the revisions of the state eminent domain law signed by Pataki, NYRI would be unable to use New York’s eminent domain procedures – leaving them without any eminent domain power.

Background:

- The Energy Policy Act of 2005 created a process by which the Federal Energy Regulatory Commission (FERC) could issue permits for projects to build or modify electrical transmission lines within areas the Department of Energy has designated as “National Interest Electric Transmission Corridors” (aka NIETCs or just “national corridors”). Once a project within an NIETC is approved, the Energy Policy Act of 2005 authorizes the private company conducting the project to use the federal eminent domain power to condemn private land.
- In October, Governor Pataki signed a law amending the state’s Eminent Domain Procedure Law to restrict NYRI from using state eminent domain power to condemn private land.

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